

The Honorable Marsha Pechman

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OCT 26 2007

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY



00-CV-01672-RCPT

UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KENNETH HANKIN, JENNIFER HUDZIEC,  
STEPHANIE LANE, and DENISE COOPER,  
on behalf of themselves and all others similarly  
situated,

Plaintiffs,

v.

THE CITY OF SEATTLE, a municipality,

Defendant.

No. C00-1672P

~~PROPOSED~~ ORDER GRANTING  
FINAL APPROVAL OF CLASS  
SETTLEMENT AND DISMISSING THE  
CLAIMS OF THE PLAINTIFFS AND  
CLASS MEMBERS

THIS MATTER came before the Court on October 26, 2007, pursuant to proper notice for determination, to determine whether the Court should approve the proposed settlement set forth in the Settlement Agreement dated April 24, 2007 (the "Settlement Agreement"). The Court has considered Plaintiffs' Motion for Final Approval and the exhibits attached thereto, and all the papers filed and proceedings herein. The Court has determined that the Settlement should be approved as fair, reasonable, and adequate and hereby orders this final order, which constitutes a final adjudication of this matter on the merits as to Plaintiffs Kenneth Hankin, Jennifer Hudziec, Stephanie Lane and Denise Cooper, and the Class they represent. The Court hereby ORDERS that:

[PROPOSED] ORDER GRANTING FINAL  
APPROVAL OF CLASS SETTLEMENT

- 1 -

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1           1.     The Court has subject matter jurisdiction over the parties.

2           2.     All defined terms contained herein shall have the same meanings as set forth in  
3 the Settlement Agreement. In particular, the term "Class" shall have the meaning ascribed to it  
4 in paragraph 1.f. of the Settlement Agreement, and this order shall not be construed as having  
5 any affect on the rights, claims, or appeals of anyone who is not a member of the Class.

6           3.     The Court hereby approves the settlement and finds that the settlement is fair,  
7 reasonable, and adequate in all respects.

8           4.     Plaintiffs' counsel shall deduct the amount awarded for attorneys' fees and  
9 incentive awards, and then pay settlement awards to all Class Members who return a valid and  
10 timely Claim Form, in accordance with paragraphs 6 and 10 of the Settlement Agreement.

11          5.     This Court hereby dismisses the claims of Kenneth Hankin, Jennifer Hudziec,  
12 Stephanie Lane and Denise Cooper, and the Class with prejudice. This order does not affect the  
13 rights, claims, or appeals of any other Plaintiffs named in the complaint, or any individuals who  
14 are not members of the Class.

15          6.     The Notice distributed by first-class mail to the Class and the Published Notice,  
16 taken together, and along with the electronic notices sent by Plaintiffs' counsel to Class  
17 members, constitute the best notice practicable under the circumstances, including individual  
18 notice to all members of the Class who could be identified through reasonable efforts. The  
19 Notice distributed by first-class mail and the Published Notice, on their own, provided due and  
20 adequate notice of these proceedings and of the matters set forth therein, including the  
21 settlement, to all persons entitled to such notice, and those notices fully satisfied the  
22 requirements of Fed. R. Civ. P. 23 and the requirements of due process.

23          7.     The Court reserves jurisdiction, without affecting the finality of this judgment,  
24 over (a) implementation and administration of the settlement; (b) any dispute between the parties  
25 concerning the interpretation, application, or enforcement of the Settlement Agreement; and  
26 (c) any post-final-judgment matters as may be appropriate under court rules.

1 **IT IS SO ORDERED.**

2  
3 Dated: Oct 26, 2007.

4   
5 THE HONORABLE MARSHA J. PECHMAN  
6 United States District Court Judge

7 **HAGENS BERMAN SOBOL SHAPIRO LLP**

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